

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s) : Ingemar Starke et al. Art Unit : 1625
Serial No. : 10/546,005 Examiner : David K. O'Dell
Filing Date (§ 371(c)) : August 18, 2005 Conf. No. : 8620
Title : BENZOTHIAZEPINE DERIVATIVES (as amended on even date herewith)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER, BY ATTORNEY OF RECORD, UNDER 1.321(c)

To the best of undersigned's knowledge and belief, title in the above-identified application (the "APPLICATION") is in the name of ALBIREO AB, a corporation, ("ASSIGNEE"), by virtue of:

☒ A chain of title from the inventors of the patent application identified above, to the current assignee as shown below.

1. From Ingemar Starke, Suzanne Alenfalk, Mats Peter Nordberg, Mikael Ulf Johan, Stig Jonas Bostrom, Malin Anita Lemurell, and Andreas Christer Wallberg to AstraZeneca AB recorded in the Patent and Trademark Office at Reel 017414, Frame 0088 on August 18, 2005 against application serial no. 10/546,005; and
2. From AstraZeneca AB to Albireo AB recorded in the Patent and Trademark Office at Reel 022679, Frame 0013 on May 13, 2009 against application serial no. 10/546,005.

Pursuant to 37 C.F.R. § 1.321(b)(1)(iv), the undersigned is empowered to act on behalf of the ASSIGNEE by virtue of the undersigned's listing in Customer No. 26181 and the power of attorney made of record in the APPLICATION on July 13, 2009.

Pursuant to 37 C.F.R. § 1.321(c), and to obviate an obviousness-type double patenting rejection, the ASSIGNEE hereby waives and disclaims the terminal portion of the term of the

CERTIFICATE OF TRANSMISSION BY EFS-WEB FILING

I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: November 12, 2009.

/Richard G. A. Bone/
Richard G. A. Bone, Reg. No. 56,637

entire patent to be granted upon the APPLICATION subsequent to the expiration date of U.S. Patent No. 7,192,946 provided that any patent granted on the APPLICATION shall be enforceable only for and during such period that it is commonly owned with U.S. Patent No. 7,192,946.

The ASSIGNEE does not disclaim any terminal part of any patent granted on the APPLICATION prior to the expiration date of the full statutory term of U.S. Patent No. 7,192,946 in the event that U.S. Patent No. 7,192,946: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole, or terminally disclaimed, under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated hereinabove. ASSIGNEE herein does not disclaim or otherwise affect any part of U.S. Patent No. 7,192,946.

This disclaimer runs with any patent granted on the present application and is binding upon the grantee, its successors or assigns.

The instant terminal disclaimer is in compliance with the requirements of 37 C.F.R. § 1.321(c), and is signed in accordance with 37 C.F.R. § 1.321(b)(1).

The fee in the amount of \$70 under 37 C.F.R. § 1.20(d) is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits, if applicable, to Deposit Account No. 06-1050 (ref. no. 23854-0005US1).

Respectfully submitted,

Date: November 12, 2009

/Richard G. A. Bone/
Richard G. A. Bone
Reg. No. 56,637

Customer No.: 26181
Fish & Richardson P.C.
Telephone: (650) 839-5070
Facsimile: (877) 769-7945